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November 1, 2024

VIA ECF

Honorable Brian R. Martinotti, U.S.D.J.
United States District Court
District of New Jersey
U.S. Post Office & Courthouse
2 Federal Square
Newark, NJ 07102

**Re: *In re: Insulin Pricing Litigation*, No. 2:23-md-03080-BRM-RLS
MDL No. 3080**

Dear Judge Martinotti:

Pursuant to CMO #5, the parties provide the following status update for the weeks of October 21 and 28:

1. **Plaintiffs' Master Discovery:** In accordance with CMO #13, Plaintiffs served Defendants with their First Set of Master Interrogatories and First Set of Master Requests for Production of Documents on October 28.
2. **Privilege Log Protocol:** Defendants sent Plaintiffs a proposed privilege protocol on October 24. Plaintiffs are in the process of reviewing Defendants' proposal.
3. **Self-Funded Payer Track:** Between October 16 and 21, Plaintiffs made written requests to each Manufacturer Defendant for certain materials, including materials related to Manufacturers' prior productions that have been reproduced in this MDL. The parties continue to meet and confer regarding those requests.

In accordance with the Court's MDL Text Order dated August 30, 2024 [ECF No. 268], the parties also enclose a joint list of all pending motions in the MDL cases.

We thank the Court for its continuing attention to this matter.

Respectfully submitted,

s/ Joanne Cicala
Joanne Cicala
Liaison Counsel for
State Attorney General Track

s/ David R. Buchanan
David R. Buchanan
Liaison Counsel for
Self-Funded Payer Track

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s/ Matthew Gately
Matthew Gately
Liaison Counsel for
Class Action Track

s/ John D. Tortorella
John D. Tortorella

Enclosure

cc: Honorable Rukhsanah L. Singh, U.S.M.J. (via ECF)
Counsel of Record (via ECF)

In re Insulin Pricing Litigation (MDL No. 3080)

Case No. 2:23-md-03080-BRM-RLS

Motion List as of November 1, 2024

The bullets below correspond to the docket numbers of all submissions relating to each motion, including opening papers, opposition papers, and replies.¹

MDL: State Attorney General Track

Montana

- Rule 12(b)(6) Motions
 - Manufacturer Defendants' Motion (Dkt. Nos. 190, 190-1 to 190-10, 190-22, 190-27)
 - PBM Defendants' Motion (Dkt. Nos. 190-11, 190-12, 190-23, 190-28)
- Rule 12(b)(2) Motions
 - Evernorth Health Inc.'s Motion (Dkt. Nos. 190-13, 190-14, 190-20, 190-24)
 - CVS Health Corporation's Motion (Dkt. Nos. 190-15, 190-16, 190-21, 190-26)
 - UnitedHealth Group Inc. & OptumInsight, Inc.'s Motion (Dkt. Nos. 190-17, 190-18, 190-19, 190-25)
- Supplemental Briefing
 - Manufacturers' Motions (Dkt. Nos. 190-51, 190-53)
 - PBMs' Motions (Dkt. Nos. 190-52, 190-54)

Illinois

- Rule 12(b)(6) Motions
 - Manufacturer Defendants' Motion (Dkt. Nos. 190-36, 190-37, 190-43, 190-49)
 - PBM Defendants' Motion (Dkt. Nos. 190-38, 190-39, 190-44, 190-48)
- Rule 12(b)(2) Motions
 - Evernorth Health Inc.'s Motion (Dkt. Nos. 190-30, 190-31, 190-41, 190-47)
 - CVS Health Corporation's Motion (Dkt. Nos. 190-32, 190-33, 190-42, 190-45)
 - UnitedHealth Group Inc. & OptumInsight, Inc.'s Motion (Dkt. Nos. 190-34, 190-35, 190-40, 190-46)
- Supplemental Briefing
 - Manufacturers' Motions (Dkt. Nos. 190-51, 190-53)
 - PBMs' Motions (Dkt. Nos. 190-52, 190-54)

¹ The parties understand that motions to remand were filed in certain case that were subsequently transferred to the MDL. We read CMO #5 to mean that those motions are not currently pending before the MDL and, therefore, have not included them on this list.

Mississippi

- Rule 12(c) Motion
 - Manufacturer Defendants' Motion (Dkt. Nos. 200, 231, 277)

MDL: Self-Funded Payor Track

Albany, King, and Lake County

- Rule 12(b)(6) Motions
 - Manufacturers' Motion (Dkt. Nos. 249-50, 256, 258)
 - PBM Defendants' Motion (Dkt. Nos. 251-55, 257, 259)

MDL: Coordinated Actions

In re Insulin Pricing Litigation, 2:17-cv-00699

- Rules 15, 12(b)(6)
 - Defendants' Motion (Dkt. Nos. 744, 747, 754)